

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re) Chapter 7
) Case No. 16-21077
Derlin J. Huisman,) Hon. Janet S. Baer
) (Kane County)
) Hearing Date: June 9, 2017
Debtor.) Time: 11:00 a.m.

**COVER SHEET FOR APPLICATION FOR
PROFESSIONAL COMPENSATION**

Name of Applicant: Baldi Berg, Ltd.

Authorized to Provide
Professional Services to: Elizabeth C. Berg, Trustee

Date of Order Authorizing
Employment: October 5, 2016

Period for Which
Compensation is sought: September 1, 2016 to Close of Case

Amount of Fees sought: \$1,500.00¹

Amount of Expense
Reimbursement sought: \$0.00

This is an: Interim Application ☐ Final Application ☒

If this is not the first application filed herein by this professional, disclose as to all prior fee applications:

<u>Date Filed</u>	<u>Period Covered</u>	<u>Total Requested (Fees & Expenses)</u>	<u>Total Allowed</u>
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Not Applicable

The aggregate amount of fees and expenses paid to the Applicant to date for services rendered and expenses incurred herein is: \$ -0-.

Dated: April 14, 2017

Baldi Berg, Ltd.

By: /s/Elizabeth C. Berg

¹ The compensation requested (i.e. \$1,500.00) is a voluntarily reduced amount. The total value for the services rendered is more than \$2,307.50. The amount requested is approximately 35% less than the actual value of services rendered.

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re	)	Chapter 7
	)	Case No. 16-21077
Derlin J. Huisman,	)	Honorable Janet S. Baer
	)	(Geneva)
Debtor.	)	Hearing Date: June 9, 2017
	)	Hearing Time: 11:00 a.m.

**First Application for Allowance and Payment of Final Compensation
of Baldi Berg, Ltd., Attorneys for Trustee**

Baldi Berg, Ltd. ("BB"), attorneys for Elizabeth C. Berg, as trustee ("Trustee") of the estate ("Estate") of Derlin J. Huisman, debtor ("Debtor"), pursuant to section 330 of title 11, United States Code ("Code"), request this Court to enter an order for the allowance and payment to BB of \$1,500.00 as final compensation for 8.90 hours of legal services rendered to the Trustee, from September 1, 2016 through the close of this case. In support thereof, BB respectfully states as follows:

Introduction

1. The Debtor commenced this case on June 29, 2016 ("Petition Date") by filing a voluntary petition for relief under chapter 7 of the Code.
2. Elizabeth C. Berg is the duly appointed, qualified and acting chapter 7 trustee in this case.
3. As of the commencement of this case, the Estate held a ½ interest in a residence located at 1247 Highland Avenue, Berwyn, Illinois ("Residence"). Debtor's disabled brother resides in the Residence. The other ½ interest in the Residence is owned by a supplemental needs trust ("Trust") established for the benefit of Debtor's brother and of which the Debtor is the trustee.
4. The bar date for filing non-governmental claims in this case was December 5, 2016 and the bar date for filing governmental claims was December 27, 2016.

Retention of Baldi Berg, Ltd.

5. On September 30, 2016, the Court entered an order authorizing Trustee to employ

Elizabeth C. Berg and the law firm of Baldi Berg, Ltd. as her counsel in this case. A copy of the order authorizing Trustee to retain BB is attached hereto as Exhibit A. BB has served as counsel for Trustee at all times since its retention.

6. The professional qualifications and experience of the BB attorneys and paralegals who have performed substantial legal services for the Trustee during the period covered by this Application are set forth in Exhibit B. The attorneys and paralegals who were responsible for representing the Trustee in this case are:

Elizabeth C. Berg – Partner
Julia D. Loper – Associate
Jason M. Manola – Paralegal

Prior Compensation

7. This is the first and final application ("Application") for allowance and payment of compensation that BB will file in this case.

Services Rendered by BB

8. Itemized and detailed descriptions of the specific services rendered by BB to the Trustee for which compensation is sought in this Application are reflected on the billing statements attached hereto as Exhibit C. The billing statements set forth the name of each attorney or paralegal, the amount of time spent rendering each service, the date on which each service was rendered, a description of the service rendered and the total number of hours of services rendered by each attorney or paralegal in each category.

9. For the Court's convenience, BB has segregated its services into two categories summarized below:

General Administration: The services rendered by BB in connection with this category include preparing an Application to Employ BB as Attorneys for the Trustee and preparing this Final Fee Application.

In connection with this category, BB has expended 3.20 hours of services for which it

requests compensation in the amount of \$592.00.

1247 Highland, Berwyn: The services rendered by BB in connection with this category include advising Trustee as to the extent of the Estate's interest in the Residence and the issues relating to a potential sale of the Residence under section 363(h) of the Code.

In connection with this category, BB has expended 5.70 hours of services for which it requests compensation in the amount of \$1,567.50.

Compensation Requested

10. In connection with the foregoing services described in paragraph nine above, BB spent 8.90 hours with a value of \$2,159.50 for which BB requests a reduced allowance and payment of final compensation in the amount of \$1,500.00. As noted above and at request of Trustee, BB has agreed to voluntarily reduce its fees in order to provide a greater distribution to unsecured creditors.

11. All of the services performed by BB were required for proper representation of the Trustee in this case, were authorized by this Court and were performed by BB at the request and direction of the Trustee. Pursuant to Section 330 of the Code and the generally applicable criteria with respect to the nature, extent and value of the services performed, all of BB's services are compensable and the compensation requested herein is fair and reasonable. There has been no duplication of services rendered to the Trustee by BB for which compensation is requested. In those instances, where two attorneys participated in any matter, such joint participation was necessary due to the complexity of the problems involved.

12. The rates charged by the attorneys and paralegals of BB in this Application, as adjusted from time to time, are their usual and customary hourly rates charged during the period covered by this Application for work performed for other clients in both bankruptcy and non-bankruptcy matters. A list of each person who performed services for the Trustee and their hourly rate is contained in the billing statements attached hereto as Exhibit C.

Payment of Compensation

13. BB has not entered into any agreement or understanding of any kind, express or implied, with any other entity to share any compensation or expense reimbursement to be received by BB for services rendered to the Trustee or expenses incurred in connection with this case.

14. BB has not previously received or been promised any payments for services rendered or expenses incurred in this case.

15. The Affidavit of Elizabeth C. Berg pursuant to Rule 2016 of the Federal Rules of Bankruptcy Procedure is attached hereto as Exhibit D and made a part hereof.

16. The proposed source for payment of the compensation requested in this Application are the Estate funds in the Trustee's possession, collected by her during her administration of this case.

Status of the Case

17. The Trustee has administered all of the assets belonging to this Estate and completed her review and analysis of the claims filed against the Estate.

18. Trustee has completed and filed her Final Report simultaneously herewith. A final fee application for the Trustee has also been filed concurrently with this Application.

Financial Condition of the Case

19. Trustee currently has approximately \$3,985.00 on deposit in the Estate's bank accounts. The Chapter 7 administrative expenses that are currently owing and those the Trustee anticipates the Estate will incur prior to the closing of this case include 1) the fees allowed to Trustee in connection with her final fee application, 2) the legal fees allowed to Baldi Berg, Ltd. in connection with this final fee application, and 3) any other fees which may be due or outstanding to the offices of the United States Trustee and the Clerk of the United States Bankruptcy Court.

20. Following payment of all Chapter 7 administrative expenses set forth above, Trustee anticipates that there will be sufficient funds to make a partial distribution to general unsecured

creditors.

Trustee's Approval

21. BB certifies that the Trustee has received, reviewed and approved this Application.

WHEREFORE, Baldi Berg, Ltd., attorneys for Elizabeth C. Berg, as trustee, requests the entry of an order providing the following:

- A. Allowing to Baldi Berg, Ltd. final compensation in the amount of \$1,500.00 for actual and necessary professional services rendered to the Trustee from September 1, 2016 through the closing of this case;
- B. Authorizing the Trustee to pay the amounts awarded from the funds in the case as part of her final distribution; and
- C. For such other and further relief as this Court deems appropriate.

Dated: April 14, 2017

Baldi Berg, Ltd.

**Attorneys for Elizabeth C. Berg, as trustee of the
estate of Derlin J. Huisman, Debtor**

By: /s/ Elizabeth C. Berg

**Elizabeth C. Berg
Baldi Berg, Ltd.
20 N. Clark St. Suite 200
Chicago, IL 60602
312.726.8150**

Baldi Berg, Ltd.
Final Fee Application

Derlin J. Huisman, Debtor
Case No. 16-21077

Retention Order

Exhibit A

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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
Eastern Division

In Re:	)	BK No.: 16-21077
Derlin J. Huisman,)	
)	
	)	Chapter: 7
	)	Honorable Donald R. Cassling
	)	Kane
Debtor(s))	

Order Authorizing Trustee to Employ Attorneys

THIS CAUSE comes before this Court on the Trustee's Application to Employ Elizabeth C. Berg and the law firm of Baldi Berg, Ltd. as attorneys for Trustee and the supporting affidavit of Elizabeth C. Berg; and the Court being fully advised in the premises:

IT IS HEREBY ORDERED that Elizabeth C. Berg, as trustee of the estate of Derlin J. Huisman, debtor, is authorized to employ Elizabeth C. Berg and the law firm of Baldi Berg, Ltd. to act as counsel for the Trustee, with compensation and reimbursement of expenses to be paid in such amounts as may be allowed by this Court, only upon further application.

Enter:

Donald R. Cassling

Honorable Donald R. Cassling

United States Bankruptcy Judge

Dated: September 30, 2016

Prepared by:

Elizabeth C. Berg
Baldi Berg, Ltd.
20 N. Clark Street, Suite 200
Chicago, IL 60602
(312) 726-8150

**Baldi Berg, Ltd.
Final Fee Application**

**Derlin J. Huisman, Debtor
Case No. 16-21077**

Professional Qualifications

Exhibit B

Baldi Berg, Ltd.

Elizabeth C. Berg

Elizabeth C. Berg is a partner of Baldi Berg, Ltd., a Chicago area bankruptcy boutique, and has been with the firm since its inception in April, 2000. Before her affiliation with Baldi, Berg, Mrs. Berg worked at the Chicago law firms of Schwartz & Freeman; Rosenthal and Schanfield; and Weissman, Smolev & Pond.

Mrs. Berg has specialized in bankruptcy law since her admission to the bar in 1989 and has focused her practice in the representation of bankruptcy trustees, primarily in chapter 7 bankruptcies. Since 2010, Mrs. Berg has served on the panel of private bankruptcy trustees appointed by the Office of the United States Trustee for the Northern District of Illinois. Prior to her graduation from law school, Mrs. Berg spent six years as a legal assistant, focusing her practice in the areas of secured transactions, mortgage lending, and corporate and bankruptcy law.

Mrs. Berg is admitted to practice in the State of Illinois and the United States District Court for the Northern District of Illinois. She is a member of the National Association of Bankruptcy Trustees and the American Bankruptcy Institute. She has participated in the regional CARE program and delivered credit abuse and financial literacy presentations to area high schools. She has also been a part-time instructor in the Paralegal Studies Department of Northwestern Business College where she taught introductory law classes to prospective legal assistants. Mrs. Berg received her Juris Doctor from Loyola University of Chicago School of Law and her certification as a paralegal from Roosevelt University in Chicago, Illinois. She holds a Bachelor of Arts degree from Brown University in French Language and Culture and studied at La Sorbonne and l'Université de Paris as an undergraduate.

In addition to her legal and academic pursuits, Mrs. Berg has been active in her hometown of Glen Ellyn, Illinois, serving as a Girl Scout Leader and volunteering in a variety of activities at her church and in the local schools.

Baldi Berg, Ltd.

Julia D. Loper

Julia D. Loper is an associate with the firm and represents bankruptcy trustees and debtors in chapter 7, chapter 11, and chapter 13 bankruptcies. Ms. Loper has worked with Baldi Berg, Ltd. since 2009. Ms. Loper also has general civil litigation experience. Ms. Loper is admitted to practice in the State of Illinois and the United States District Court for the Northern District of Illinois. She is a member of the Chicago Bar Association. Ms. Loper received her Juris Doctor from Michigan State College of Law and received her Bachelor of Arts degree from University of Utah in Psychology and Gender Studies.

Jason M. Manola

Jason M. Manola is a paralegal with the firm. Mr. Manola has worked with Baldi Berg, Ltd. since 2011. He is a member of the Chicago Bar Association and the DuPage County Bar Association. Mr. Manola is currently pursuing his Paralegal Certificate at the College of DuPage in Glen Ellyn, Illinois. Mr. Manola received his Bachelor of Arts degree from the University of Iowa in Sports Management and Entrepreneurship.

**Baldi Berg, Ltd.
Final Fee Application**

**Derlin J. Huisman, Debtor
Case No. 16-21077**

Billing Statements

Exhibit C

Baldi Berg, Ltd.
20 N. Clark Street
Suite 200
Chicago, IL 60602

Phone: (312) 726-8150

Fax: (312) 470-6323

FEIN: 36-4352753

Invoice submitted to:

April 14, 2017

Invoice No: 02837

Elizabeth C. Berg, Trustee
 Baldi Berg, Ltd.
 20 N. Clark Street
 Suite 200
 Chicago, ILLINOIS 60602

In Reference to: *Huisman - 1247 Highland, Berwyn***Professional Services**

<u>Date</u>	<u>Staff</u>	<u>Description</u>	<u>Hours</u>	<u>Charges</u>
9/01/2016	JDL	Cf w/ ECB re: research on real property in Trust, trust provisions, etc. (.3)	0.30 \$275.00/ hr	\$82.50
9/08/2016	JDL	Review and analyze petition and schedules, trust agreement per assignment from ECB (1.5) Research re: 363(h) elements (1.8) Draft memo to ECB re: same (1.3)	4.60 \$275.00/ hr	\$1,265.00
9/13/2016	JDL	Continued research for ECB memo on 363(h) sale.	0.70 \$275.00/ hr	\$192.50
9/21/2016	JDL	Cf w/ ECB re: status of research conducted and next steps for the liquidation of the estate's interest in the Special Needs Trust	0.10 \$275.00/ hr	\$27.50

Total Fees	<u>\$1,567.50</u>
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Total New Charges	<u>\$1,567.50</u>
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Previous Balance	<u>\$0.00</u>
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Balance Due	<u><u>\$1,567.50</u></u>
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Baldi Berg, Ltd

4/14/2017

Huisman - 1247 Highland, Berwyn

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Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>
Julia D Loper	5.70	\$275.00

Baldi Berg, Ltd.
20 N. Clark Street
Suite 200
Chicago, IL 60602

Phone: (312) 726-8150
Fax: (312) 470-6323

FEIN: 36-4352753

Invoice submitted to:

April 14, 2017
 Invoice No: 02838

Elizabeth C. Berg, Trustee
 Baldi Berg, Ltd.
 20 N. Clark Street
 Suite 200
 Chicago, ILLINOIS 60602

In Reference to: *Huisman - Gen. Admin*

Professional Services

<u>Date</u>	<u>Staff</u>	<u>Description</u>	<u>Hours</u>	<u>Charges</u>
9/20/2016	JMM	Draft App to Employ Attorneys (1.0), Draft Affidavit (.1), Draft Proposed Order (.1)	1.20 \$185.00/ hr	\$222.00
9/22/2016	JMM	Edit Trustee's Application to Employ Attys (.4)	0.40 \$185.00/ hr	\$74.00
4/03/2017	JMM	Prepare BB Fee Application (1.0), Coversheet, affidavit and proposed order (.3), Review and edit re: same (.3)	1.60 \$185.00/ hr	\$296.00
4/14/2017	JMM	Edit Trustee's Attys Fee Application w/ ECB edits	0.80 \$185.00/ hr	\$148.00
Total Fees				<u>\$740.00</u>
Total New Charges				<u>\$740.00</u>
Previous Balance				<u>\$0.00</u>
Balance Due				<u><u>\$740.00</u></u>

Timekeeper Summary

Name _____ Hours _____ Rate _____

Baldi Berg, Ltd

4/14/2017

Huisman - Gen. Admin

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Jason M Manola	4.00	\$185.00
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**Baldi Berg, Ltd.
Final Fee Application**

**Derlin J. Huisman, Debtor
Case No. 16-21077**

Rule 2016 Affidavit

Exhibit D

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re	)	Chapter 7
	)	Case No. 16-21077
Derlin J. Huisman,	)	Hon. Janet S. Baer
	)	(Kane County)
)	
Debtor.)	

Rule 2016 Affidavit

State of Illinois)
County of Cook)

I, Elizabeth C. Berg, being first duly sworn upon oath, do depose and state as follows:


1. I am a shareholder of Baldi Berg, Ltd. and am authorized to execute this affidavit on behalf of Baldi Berg, Ltd.

2. I have read the Application for Allowance and Payment of Final Compensation of Baldi Berg, Ltd., Attorneys for Trustee ("Application") and all of the factual matters set forth therein are true to the best of my knowledge, information and belief. Baldi Berg, Ltd. has performed the services and incurred the expenses set forth and described in the Application at the request and pursuant to the direction of the Trustee.

3. A copy of the Application has been provided to Trustee and the Trustee has reviewed and approved the Application.

4. Baldi Berg, Ltd. has not previously received payment of any compensation for services rendered or expenses incurred in connection with this case. Baldi Berg, Ltd. has not entered into any agreement with any other person or persons for the sharing of compensation to be received for services rendered or expense reimbursement to be received for actual expenses incurred in connection with this matter, except among the principals and associates of Baldi Berg, Ltd and to the extent of the voluntary reduction in the request for compensation, as more fully set forth in the Application.

5. Further affiant sayeth naught.


Elizabeth C. Berg

Subscribed and Sworn to before me
this 14th day of April, 2017


Notary Public

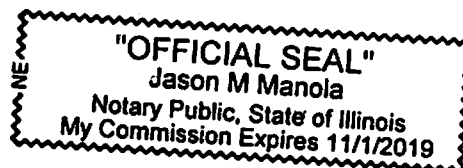


Exhibit D